Slaughter v. Jones Day
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EXHIBIT A

PART 1

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

AVA SLAUGHTER,	)	
	)	
PLAINTIFF,	)	
	)	
VS.	)	CIVIL ACTION
	)	
	)	NO.: H-05-3455
JONES DAY,	)	
	)	
DEFENDANT.	)	

ORAL AND VIDEOTAPED DEPOSITION OF
AVA SLAUGHTER
MAY 31, 2006
VOLUME

ORAL AND VIDEOTAPED DEPOSITION OF AVA SLAUGHTER, produced as a witness at the instance of the DEFENDANT, and duly sworn, was taken in the above-styled and numbered cause on the 31st day of May, 2006, from 10:08 a.m. to 4:22 p.m., before Becky Serrato, CSR in and for the State of Texas, reported by machine shorthand, at the law offices of Fulbright & Jaworski, L.L.P., 1301 McKinney, Suite 5100, Houston, Texas, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.

Page 2

APPEARANCES

FOR THE DEFENDANT JONES DAY:
Mr. Thomas H. Padgett, Jr.
BAKER & PATTERSON, L.L.P.
The Isis Theatre Building
1004 Prairie, Suite 300
Houston, Texas 77002
713.623.8116

FOR THE PLAINTIFF:
Ms. Shauna Clark
FULBRIGHT & JAWORSKI, L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010
713.651.5151

THE VIDEOGRAPHER:

Mr. Mike Scott
Fulbright & Jaworski, L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010

ALSO PRESENT:

Mr. Kevin Richardson

Page 3

INDEX

	PAGE
Appearances	2
Stipulations	5
AVA SLAUGHTER	
Examination by Ms. Clark	5
Signature and Changes	190
Reporter's Certificate	192

EXHIBITS

NO. DESCRIPTION	PAGE
1 Memo from Lori Bounds to Ms. Ava Slaughter	40
2 "Acknowledgment of Receipt of Harassment Policy and Training"	44
3 Copies of Pages 104-105 from the Jones Day Handbook	45
4 Copy of first two pages from Jones Day Firm and Office Manuals	45
5 Copy of e-mail from Kevin Richardson to Kari L. Smidt	62
6 Copy of e-mail from Kevin Richardson to Kari Smidt"	76
7 Copy of Staff Performance Evaluation for Ava Slaughter (2001)	80

Page 4

EXHIBITS (CONTINUED)

NO. DESCRIPTION	PAGE
8 Copy of Staff Performance Evaluation for Ava Slaughter (2001)	94
9 Copy of Staff Performance Evaluation for Ava Slaughter (2002) done by Kevin Richardson	97
10 Copy of Staff Performance Evaluation for Ava Slaughter (2002) done by Michael Gibson	111
11 Copy of Staff Performance Evaluation for Ava Slaughter (2002) done by Jason Leaf	112
12 Copy of Staff Performance Evaluation for Ava Slaughter (2002) done by Ava Slaughter	121
13 Document entitled "Counseling Report"	128

Page 5

MS. CLARK: By the Rules?
MR. PADGETT: Yes.
THE VIDEOGRAPHER: The time is 10:08. We're on the record. May 31st.
AVA SLAUGHTER,
was called as a witness and having been duly sworn, testified as follows:
EXAMINATION
BY MS. CLARK:
Q. Good morning, Ms. Slaughter.
A. Good morning.
Q. My name is Shauna Clark, and I represent Jones Day in a lawsuit that you filed against the firm. You understand that my interests here today are adverse to yours?
A. Yes, I do.
Q. Have you ever had your deposition taken before?
A. Never.
Q. Well, let's have a few ground rules.
Have you had an opportunity to speak with your lawyer about the deposition process?
A. Yes.
Q. Do you understand that it's an -- a question and answer process whereby I'll ask you questions and, to the best of your ability, you need to answer those

Page 6

questions truthfully?
A. **Yes, I do.**
Q. Do you understand that the oath you've just taken subjects you to the same penalties of perjury as if we were in a courtroom before a judge and jury?
A. **Yes, I do.**
Q. And you've been excellent verbalizing your responses thus far, and I'll ask that you continue to verbalize your responses. Even though we have a videographer videotaping this deposition, the stenographer cannot record accurately nods and shakes of the head and other nonverbal communication. Okay?
A. **Okay.**
Q. So we can have an agreement that you will answer verbally.
A. **That's fine.**
Q. Another agreement I'll ask is to allow me to complete my question before you begin your answer even if you can anticipate what I'm about to ask you. Okay?
A. **Okay.**
Q. And as much as I can, I will allow you to complete your answer before I begin my next question; and that will help the court reporter accurately transcribe each of us speaking.
A. **Okay.**

Page 7

Q. Are you currently taking any medications today?
A. **I took an aspirin, but that's it.**
Q. Other than an aspirin, you're not --
A. **No.**
Q. -- taking any medication?
Is there any reason why you can't give your very best testimony today?
A. **No.**
Q. As I mentioned before, I'll ask you a series of questions. What's very important to this process is that you accurately respond to the questions that I've asked. So if there's -- if there comes a time where you do not understand my question or you need me to repeat my question, please ask me to repeat it or rephrase it and I'll be happy to do so. Okay?
A. **Okay.**
Q. Can we have an agreement, then, that if you answer my question, your answer is based on your understanding the question?
A. **Sure.**
Q. Ms. Slaughter, are you known by any other names?
A. **My maiden name is Lewis, but people know me by Ava Slaughter.**
Q. No other nicknames?

Page 8

A. **No.**
Q. And where do you live?
A. **3279 Hunters Glen Drive in Missouri City, Texas. My ZIP code is 77459.**
Q. And do you rent or own?
A. **Own.**
Q. And how long have you lived in Missouri City?
A. **Since 1993.**
Q. What's your Social Security number?
A. **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.**
Q. And your driver's license number?
A. **04493747.**
Q. What's your birth date?
A. **4-30-63.**
Q. And where you were born?
A. **Minneapolis, Minnesota.**
Q. When did you move to Houston?
A. **Must have been in 1979.**
Q. What brought you to Houston?
A. **My family.**
Q. And when you say your family, to whom are you referring?
A. **My grandparents. I was living with my grandparents at the time.**
Q. I believe you testified that you're married?

Page 9

A. **That is correct.**
Q. What's your husband's name?
A. **Steve Slaughter.**
Q. How long have you been married?
A. **Since 1992.**
Q. Do you have any children?
A. **Yes.**
Q. And what are your children's names?
A. **Blake Slaughter.**
Q. And how old is Blake Slaughter?
A. **Blake Slaughter is 16.**
Q. And any other children?
A. **I have a stepson, Michael Slaughter.**
Q. And how old is Michael?
A. **19.**
Q. When were you married?
A. **In Nineteen Ninety --**
Q. -- two?
A. **Excuse me. I said -- did I say '92?**
Q. Yes.
A. **No. Okay. I was married -- that's correct. In 1992.**
Q. In what month?
A. **February 14th. Sorry.**
Q. No. That's fine.

Page 10

Is this the only marriage --
A. Yes.
Q. -- you've had?
Have you ever been in the military?
A. No.
Q. Have you ever been arrested?
A. Arrested?
Q. Yes.
A. No.
Q. Charged with any crimes?
A. No.
Q. Where did you attend high school?
A. I went to a school that was called Houston Technical Institute, and it was downtown here in Houston.
Q. This was high school?
A. Yes.
Q. And when did you graduate?
A. I graduated in January of '81. The school changed names to Barbara Jordan later. Houston Technical Institute closed after my sophomore year, and I went to Barbara Jordan.
Q. Okay. So in your sophomore year, you transferred to Barbara Jordan High School? Or did you -- or did Houston Technical Institute become Barbara

Page 11

Jordan High School?
A. It became Barbara Jordan.
Q. Did you attend college?
A. Some.
Q. Where did you attend college?
A. I went to a college that was called Hargest College.
Q. Can you spell that for me?
A. H-a-r-g-e-s-t.
Q. And where was -- where's Hargest College located?
A. It was located downtown Houston.
Q. Okay. What happened to it?
A. They closed. I don't -- I can't tell you exactly when that happened.
Q. Okay. When did you attend Hargest College?
A. 1986.
Q. And what did you study?
A. Paralegal studies.
Q. How long did you attend Hargest College?
A. I was only there for -- I would say it was about three months. Not very long.
Q. Did you complete the semester?
A. No. Did not.
Q. Did you attend any other colleges?

Page 12

A. I went to a technical school, and it was called at that particular time -- well, they had another name. I can't remember what the -- the original name is, but it's currently called Center for Advanced Legal Studies.
Q. And when did you attend the Center for Advanced Legal Studies?
A. That was in 1987 through 1988.
Q. And where is the Center for Advanced Legal Studies located?
A. They were located on Richmond. They're -- they are in Houston.
Q. They remain in Houston, but they've changed locations?
A. I -- I haven't kept up with it. I don't know where they're located now, but they're still open.
Q. They're still open. You know they're still open, but you don't know where they're located.
A. That is correct.
Q. Okay. And did you -- what did you study at the Center for Advanced Legal Studies?
A. Paralegal studies.
Q. Did you receive a certification?
A. Yes, I did.
Q. And what type of certification did you receive?

Page 13

A. A paralegal certificate.
Q. Did you attend any other educational institutes?
A. I attended several different technical schools to obtain computer technical skills.
Q. Okay. Let's talk about that -- the other technical schools. Please identify the first technical school -- excuse me.
Was the Center for Advanced Legal Studies the first technical school you attended?
A. As far as I can recall.
Q. Okay. I believe your testimony is that in 1998 you received a paralegal certificate from the Center for Advanced Legal Studies; is that right?
A. That's correct.
Q. Okay. What's -- please identify the next technical school you attended.
A. C-Trec.
Q. Can you spell that for me, please?
A. C, dash -- dash, T-r-e-c.
Q. And what type of technical school is C-Trec?
A. Computer technical training.
Q. And when did you attend C-Trec?
A. I really cannot give you an exact date.
Q. Okay.

Page 14

A. It would probably be hard to even give you an exact year. But if I was going to guess, it would probably be sometime in '89, 1990.
Q. Did you receive a certificate?
A. I received a few certificates at that time. But C-Trec is technical training, technology training; and they provide, like, word processing certificates, Windows certification, that sort of thing.
Q. Okay.
A. So . . .
Q. How long did you attend C-Trec?
A. Off and on. I mean, it -- it wasn't like a -- a semester or anything like that. Generally those -- those courses are five days, maybe seven days. So it's kind of hard to quantify.
Q. Okay. So if I understand your testimony, you took a series of courses through C-Trec.
A. That is correct.
Q. And the courses lasted anywhere from five to seven days.
A. Correct.
Q. And then after you completed the course, you received a certificate.
A. That's correct.
Q. Other than the Center for Advanced Legal

Page 15

Studies and C-Trec, did you attend any other technical schools?
A. Executrain.
Q. Can you spell that for me?
A. E-x-e-c-u-t-r-a-i-n.
Q. And where is Executrain located?
A. They're located in Houston. They were in the -- the Galleria area.
Q. When did you attend Executrain?
A. I would say that was around sometime in the early Nineties. Again, these are sporadic courses that you just take off and on.
Q. And what type of courses did you take at Ecutrain -- Executrain? Excuse me.
A. Technology course.
Q. Did you receive certificates?
A. Yes, I did.
Q. Any other technical schools?
A. Not any that I can think of at this time.
Q. Did you take any correspondence courses?
A. Yes, I did.
Q. When did you take correspondence courses?
A. That was sometime in the early Nineties.
Q. And through which university or college or technical school?

Page 16

A. People's College of Independent Studies.
Q. Is there a campus?
A. There -- there is a campus, yes.
Q. And where -- where is it located?
A. I believe it's in Florida. Because it's been some time, I can't tell you exactly where it's located.
Q. Okay. Which correspondence courses did you take?
A. I was taking basic courses. English, math.
Q. Any other?
A. Some history, I believe.
Q. Towards -- toward which degree were you taking these basic course?
A. Technology for computer science.
Q. Did you receive the degree?
A. Did not.
Q. How long did you take the correspondence courses?
A. Off and on for about a year, a year and a half, maybe.
Q. English, math, and history. Any other courses you took through The People's College of Independent Studies?
A. Not that I can recall.
Q. Okay. Any other schooling or education that we

Page 17

have not talked about so far?
A. Not that I can think of right now.
Q. Okay.
A. A lot of self-study.
Q. And when you say "self-study," to what do you refer?
A. Computer-based training, videos, tapes, that sort of thing.
Q. Where did you conduct, perform the self-study?
A. At home.
Q. Did you use a software program or guide or manual to engage in the computer-based training self-study?
A. Many of the manufacturers, such as MicroTech and different manufacturers, have computer-based training for specific application; and at that particular time, I was studying to become a certified network engineer.
Q. Did you become a certified network engineer?
A. No.
Q. Why not?
A. I -- I was -- needed one -- one more test, and I did not complete. It was a series of seven tests, I believe, at the time; and I completed six of those tests. And I -- I qualified or became a certified

Page 18

net -- netware administrator but did not take the next step to become the engineer.
Q. Why not?
A. Time wasn't on my side at the time.
Q. When did you seek the certified network engineer certification?
A. Mid-Nineties. Yeah. I'd say '95.
Q. Videos. How did you conduct self-study in video training?
A. Very easily. There are several companies that offer self-study courses.
Q. Okay.
A. Keystone.
Q. Okay. Now --
A. And you -- you basically watch it on TV. And for the most part, you have your computer with the application that you're interested in learning right next to it. And so they're guiding you through various steps, and you learn it that way.
Q. Okay.
A. Basically hands-on.
Q. Keystone. What are the other manufacturers that provided video training?
A. Video Professor is one. I believe at that particular time, Keystone was the one that I was using

Page 19

the most.
Q. And this is software?
A. That -- no. That -- that's videos.
Q. Okay. Well, did you purchase a video?
A. Yes.
Q. Okay. And it's the Keystone video.
A. That is correct.
Q. Okay. Do you still have a copy of it?
A. I have a copy of some of the videos I purchased. Not -- I don't know if I have the one specific to netware, but I do have lots of Keystone videos.
Q. And you use the videos for self-study.
A. Yes.
Q. Okay. And tapes. How did you perform self-study with tapes?
A. Audiotape. I --
Q. Would you purchase audiotapes?
A. That is correct.
Q. From which manufacturer?
A. I believe at that time -- this was sometime ago, but I believe MicroTech offered some audiotapes.
Q. Did you receive a certification after you completed your self-study video training?
A. Not from the manufacturer. At that point you

Page 20

would actually have to go take a test --
Q. Uh-huh.
A. -- to get certified for the portion that you were interested in testing for.
Q. Uh-huh.
A. So to answer your question, not from the manufacturer. But --
Q. Okay.
A. -- I did receive some certificates.
Q. Okay. And from where did you receive their certificates?
A. I -- I remember I received a couple of them from C-Trec.
Q. The certificates you described earlier today?
A. Yes.
Q. Are there any other certificates that you have received that we haven't talked about today?
A. No. I -- I would like to point out I've had real estate training, as well. I don't know --
Q. Okay.
A. -- if that -- if that applies, but . . .
Q. Yeah. I'll finish this, and then --
A. Okay.
Q. -- we'll go to --
A. But no.

Page 21

Q. Okay. When did --
A. Not that I can think of.
Q. Okay. When did you receive your real estate training?
A. In 1994.
Q. Did you take a real estate course?
A. Yes, I did.
Q. Which course did you take?
A. Real estate investing. Through Spencer School of Real Estate.
Q. And where is Spencer School of Real Estate located?
A. I'm not aware right now. I -- at that particular time I believe they were in the Richmond area.
Q. Is that in Houston or Richmond, Virginia?
A. No. That is in Houston.
Q. Did you receive a license, a real estate license?
A. No, I did not.
Q. Did you sit for any exams?
A. No, I did not.
Q. Did you complete the course?
A. Yes, I did.
Q. Did you receive a certificate after you

Page 22

completed the course?
A. **Yes, I did.**
Q. Did you ever work as a Realtor?
A. **No.**
Q. Any other training?
A. **Not that I can think of at this time.**
Q. Ms. Slaughter, are you currently employed?
A. **Yes, I am.**
Q. And by whom are you employed?
A. **Jones Day.**
Q. Before we talk about your employment with Jones Day, let's talk about your employment with Bayko Gibson.
A. **Okay.**
Q. When did you first become an employee with Bayko Gibson?
A. **In December of 1997.**
Q. What was your title in December, 1997?
A. **Systems analyst.**
Q. Who -- who interviewed you?
A. **Tom Bayko.**
Q. Did Tom Bayko make the decision to hire you?
A. **Yes, he did.**
Q. Who is Tom Bayko?
A. **He was the managing partner.**
Q. Of Bayko Gibson?

Page 23

A. **That is correct.**
Q. How large was the office? How many lawyers worked for Bayko Gibson in December, 1997?
A. **In December, 1997, I would say there were approximately 20 lawyers.**
Q. And how many non-lawyer staff?
A. **Probably about that same number. 20.**
Q. So 40 employees total?
A. **Yes.**
Q. To -- did you -- to whom did you report? Did you have a direct supervisor between you and Tom Bayko?
A. **No, I did not.**
Q. What were your responsibilities as the systems analyst?
A. **I was responsible for managing the network. Manage --**
Q. And what does that mean?
A. **Managing the technology infrastructure.**
Q. And what does that mean?
A. **That means overseeing the computers, the laptops, the servers, anything that was computer-related.**
Q. What else did you do?
A. **I also managed staff at that particular time.**
Q. And how large was your staff?

Page 24

A. **There were three people that worked there; and these individuals provided data input, primarily, for a application that we were building in-house called Paperchaser.**
Q. What's "Paperchaser"?
A. **It's a litigation support application that provides imaged documents, TIF images of documents. It's visual basis database with an access front. So we had people working on that.**
Q. So you -- you supervised three employees?
A. **Yes.**
Q. And they were largely responsible for inputting data into this new software program.
A. **Right. And one individual was specifically a programmer.**
Q. Did any of these individuals have any responsibility to assist in managing the technology infrastructure?
A. **Would you ask that question --**
Q. Sure. You testified that your responsibilities as a systems analyst was to manage the network. Correct?
A. **Correct.**
Q. And then you had three direct reports or three employees that you supervised who were responsible for

Page 25

inputting data for this soft -- this new software program, correct?
A. **Correct.**
Q. Did any of those individuals ever assist you in managing the technology, the technological -- the technological infrastructure?
A. **One person did.**
Q. All right. And who was that?
A. **His name was Luke Spence.**
Q. Did you perform performance appraisals for the three individuals?
A. **Yes, I did. But we -- yes, I did.**
Q. Can you identify the three individuals?
A. **Luke Spence, Missy Townsend. And who was the third person? It will come to me. I can't think of the third person right now.**
Q. Okay. And when I asked you did you perform the performance appraisals, you hesitated. Is there a reason why?
A. **Well, because at that particular time, we didn't really have a annual per se performance appraisal -- formal -- formal appraisal process.**
Q. And this is the entire firm?
A. **That is correct.**
Q. Did there come a time when a formal appraisal

Page 26

process was implemented at Bayko Gibson?
A. Not during my tenure, no.
Q. How did you perform appraisals, then?
A. I would basically from the standpoint of giving an opinion on an employee and meeting with the employees, encouraging them, mentoring them. That's what I meant.
Q. Okay.
A. From that standpoint I did that.
Q. Did you receive any promotions at Bayco Gibson?
A. Yes, I did.
Q. And when did you receive a promotion?
A. I received a promotion -- this is an approximate -- 1999, maybe.
Q. And what title did you receive?
A. Director of information technology.
Q. Did you continue to supervise the three individuals -- Luke Spence, Missy Townsend, and the third person?
A. At that particular time the third person left due to a restructuring. Because much of Paperchaser and the Paperchaser programming was no longer being done in-house, and they took that outside of the firm.
Q. Okay.
A. So that person left. Missy Townsend, she --

Page 27

she did not stay much longer. Luke Spence stayed on for quite some time.
Q. So then at the time you received the promotion in 1999, is it fair to say you were supervising only Luke Spence?
A. I was supervising two people at the time. Missy left maybe six months later or so.
Q. Okay. In 2000?
A. Approximately.
Q. So after 2000 did you supervise anyone other than Luke Spence?
A. No.
Q. Were you ever disciplined by anyone at Bayco Gibson?
A. Disciplined?
Q. Yes. Counseled? Reprimanded?
A. Not that I can recall.
Q. Since you testified that during your tenure, there was never a formal appraisal process, is it fair to say that you never received a formal annual evaluation while employed at Bayco Gibson?
A. I don't recall ever receiving one.
Q. Did you file any charges or complaints against anyone at Bayco Gibson?
A. No.

Page 28

Q. Why did you cease being a Bayco Gibson employee?
A. Because we were acquired by Jones Day.
Q. Okay. When did you become a Jones Day employee?
A. January of 2001.
Q. Okay. Who did you work for before Bayko Gibson?
A. The Coastal Corporation.
Q. And how long did you work for Coastal?
A. Almost two years.
Q. What was your title at Coastal?
A. Systems administrator.
Q. When did you work as a systems administrator?
A. From 1996 to 1997.
Q. Who hired you for that position?
A. Marilyn McCorkle.
Q. And what was her title?
A. She was the firm administrator.
Q. Why did you leave?
A. Because Tom Bayko called me and it was a better opportunity.
Q. You weren't asked to leave?
A. No.
Q. What did you do as a systems administrator?

Page 29

A. Again, I managed the -- the local infrastructure -- there were approximately 130 users -- for the entire legal division of Coastal Corporation.
Q. Were you the only systems administrator?
A. Was I the only systems administrator?
Q. Yes.
A. For the legal division, yes.
Q. Okay. Were you the only systems administrator in the company?
A. No.
Q. How many other systems administrators were there in 1996, 1997?
A. Approximately, I'd say maybe nine, ten.
Q. Who did -- to whom did you report?
A. To Marilyn McCorkle.
Q. Okay. The firm administrator?
A. Yes.
Q. Who did you work for before going to Coastal?
A. Holtzman, Urquhart, Bayko & Moore.
Q. Can you spell the first name for me?
A. H-o-l-t-z-m-a-n.
Q. Okay. And what's the remainder of the firm's name?
A. Urquhart, U-r-q-u-h-a-r-t. Bayko.
Q. Would that be Tom Bayko?

A. **That would be Tom Bayko.**
Q. And what was the last name?
A. **Moore.**
Q. And how long -- when did you start working for that law firm?
A. **That was in August of 1990.**
Q. And where was it located?
A. **Downtown Houston.**
Q. Where is Coastal located? Or where was it located in 1996, 1997?
A. **Greenway Plaza.**
Q. How long did you work at Holtzman -- the Holtzman law firm?
A. **I worked there for five years. Over five years.**
Q. What was your title?
A. **Initially I -- I was promoted there. So I -- I started off as a docket assistant.**
Q. In 1990?
A. **That is correct.**
Q. Okay. And then how long did you remain a docket assistant?
A. **Four months.**
Q. Okay. And what position did you receive then?
A. **Assistant network supervisor.**

Q. And to whom did you report?
A. **Michael Saltzman.**
Q. And what was his title?
A. **Network supervisor.**
Q. Were you ever disciplined there?
A. **No.**
Q. Counseled?
A. **No.**
Q. Reprimanded?
A. **No.**
Q. What was your -- did your title remain assistant network supervisor?
A. **Yes, it did.**
Q. Okay. And when did you leave this law firm?
A. **In 1995.**
Q. And why did you leave?
A. **I left because I got laid off. Reduction in force.**
Q. Who else was laid off?
A. **There were quite a few people. Boy. It's kind of hard for me to recall those names, you know.**
Q. But it was --
A. **It was ten years ago but --**
Q. It was -- it wasn't based on your performance.
A. **No, it was not.**

Q. And was Coastal the next position that you held?
A. **Yes.**
Q. You testified that on -- in January, 2001, you became a Jones Day employee after Bayco Gibson was acquired by Jones Day. Is that correct?
A. **That's correct.**
Q. Did you have to interview for the position with Jones Day?
A. **I did interview, yes.**
Q. Okay. And with whom did you interview?
A. **Natalie Anton and David Lovell.**
Q. And what was Natalie's title?
A. **Natalie was the regional manager. North American regional manager.**
Q. And how about David Lovell?
A. **He was the firm director of technology.**
Q. Did you interview with anyone else?
A. **No, I did not.**
Q. Okay. Did you meet -- at this time did you meet Kevin Richardson?
A. **No, I did not.**
Q. Who is Kevin Richardson?
A. **Who he is?**
Q. Yes.

A. **He later became our office administrator.**
Q. Did you know Kevin Richardson before he became the office administrator?
A. **No, I did not.**
Q. Who made the decision to hire you as a Jones Day employee? Do you know?
A. **I really can't give an answer to that. I don't know. I really don't know.**
Q. How many offices did Bayco Gibson have?
A. **At one time Bayco Gibson had three offices.**
Q. During your tenure, it had three offices?
A. **Yes.**
Q. Okay. And when did it have three offices?
A. **What year?**
Q. Yes.
A. **I'd say that was 1998, 1999. I really -- it's -- it's a guess. I -- I don't remember the exact year.**
Q. And where were the other two offices located?
A. **There was a small office, from what I recall, in California. I remember that one. And the other one I believe, was located in New York.**
Q. New York?
A. **Yes.**
Q. Did you ever work in either of these offices?

Page 34

A. **No, I did not.**
Q. Did you ever support either of these offices?
A. **Yes, I did.**
Q. And how did you support the California office?
A. **Via remote administration, basically. Long distance. And much of the support was telephone support.**
Q. Telephone support?
A. **Yes.**
Q. Okay. Is that true for the New York office?
A. **Yes.**
Q. What was your title when you became -- when you began your employment with Jones Day in January, 2001?
A. **In December of 2000 I was told by Robert Leidich, who was a partner of Bayco Gibson, that my title would be ISS manager.**
Q. And what's Robert's last name?
A. **Leidich, L-e-i-d-i-c-h.**
Q. Okay.
MS. CLARK: Move to strike as nonresponsive.
Q. (By Ms. Clark) And I'll ask you about your conversation you had with Robert Leidich. But when you began your employment at Jones Day in January, 2001, what was your title?

Page 35

A. **ISS manager.**
Q. And what's the basis of your belief that when you began your employment with Jones Day in January, 2001, your title was ISS manager?
A. **The basis was my conversations with Robert Leidich --**
Q. Okay.
A. **-- David Lovell --**
Q. Okay.
A. **-- and Natalie Anton.**
Q. Now, in December, 2000, Bayco Gibson at that time existed as a -- as a separate law firm. There had been no acquisition or merger or joinder with Jones Day, correct?
A. **They were in the process.**
Q. Okay.
MS. CLARK: Move to strike as nonresponsive.
Q. (By Ms. Clark) In December, 2000, Jones Day existed as a separate law firm. There had been no combination or acquisition or merger with Jones Day in December, 2000, correct?
A. **Correct.**
Q. So is it fair to say that any conversation you had with Robert Leidich was a conversation in his role

Page 36

as a Bayko Gibson partner?
A. **That would be fair to say.**
Q. Okay. Now, what David Lovell tell you?
A. **David Lovell and Natalie Anton --**
Q. Okay.
A. **-- both.**
Q. We'll -- and we'll speak -- did the conversation occur at the same time?
A. **Yes, it did.**
Q. Okay. Was there a meeting?
A. **Yes.**
Q. Okay. And when did this meeting occur?
A. **This meeting occurred -- I'm going to say either late December of 2000 or January of 2001. It's been some time ago. So . . .**
Q. And where did it occur?
A. **It occurred at Bayko Gibson.**
Q. And what did Natalie and -- who -- who made the statements? Natalie Anton or David Lovell?
A. **Both of them.**
Q. Okay. What did David Lovell say?
A. **"We're really excited to have you as part of the team. Welcome. You have more than enough experience to do the job."**
When he left, he told me that I was going

Page 37

to be added to -- to all of the -- the lists. Natalie expressed her excitement, as well --
Q. Okay.
A. **-- and said, "Welcome to the management team."**
Q. Before we talk about Natalie, I want to make sure I understand your testimony regarding David Lovell's statements. Did he ever tell you that your title at Jones Day would be ISS manager?
A. **Yes.**
Q. When did he say your title would be ISS manager?
A. **Again, that was in -- when he and Natalie flew down here to the Houston office to meet me.**
Q. Okay.
A. **And as far as I can recall, that was in either December or January of 2001.**
Q. And my apologies. I didn't want you to tell me again the date of the meeting. Let me be more specific.
A. **Okay.**
Q. During the conversation, when did David Lovell state that your title at Jones Day would be ISS manager?
A. **I'd say must have been -- there was a -- a lengthy conversation. So to tell you exactly what -- what stage of the conversation, we are talking about a conversation that happened six -- six years ago.**

Page 38

That -- that's going to be pretty difficult. As far as I can recall, I would say that it was towards the end of the conversation what's -- once it was determined that my skill set was more than sufficient to handle the job of manager.

Q. Okay. You have provided examples of the statements that he made during the meeting. "We're excited to have you on the team. Welcome." What I'm trying to get to is: What did he say about your assuming the role of ISS manager during this meeting in late December, 2000, or January, 2001?

MR. PADGETT: I'm going to object as asked and answered.

Q. (By Ms. Clark) Unless he instructs you not to answer, you can answer.

A. **Okay. What he said, again, was, "Welcome. Glad you're part of the team." Reiterated my skills as it relates to the ISS manager position and expressed the fact that I was more than qualified to do the job.**

Q. Okay. Now, when you say he reiterated your skills in relation to the ISS manager position, did he make a specific reference to the position being ISS manager?

A. **Yes, he did.**

Q. Okay. What did he say? Did he say -- is it

Page 39

your testimony under oath that David Lovell said, "Ms. Slaughter, you will be the ISS manager at Jones Day"?

A. **Yes, he did.**

Q. What did Natalie Anton say about your being ISS manager at Jones Day?

A. **They worked pretty much in tandem. Her comments were, again, "Welcome." She expressed exactly my reporting relationship to her as it relates to the firm. So we went over those particular issues.**

Q. And -- and what did she tell you about your reporting relationship to her as it related to Jones Day?

A. **The fact that she oversaw all of the managers. This was not a direct reporting relationship. She was explaining her role, which her role involved supporting the local managers. So she explained that process and, again, said, "Welcome to the team."**

Q. Did you receive an offer letter?

A. **No.**

Q. You never received an offer letter?

A. **No. Not that I can recall.**

(Slaughter Exhibit No. 1 was marked.)

A. **I've never seen this document before.**

Q. (By Ms. Clark) Okay.

Page 40

MR. PADGETT: Wait till she asks any questions about it --

THE WITNESS: Okay.

MR. PADGETT: -- Ms. Slaughter.

Q. (By Ms. Clark) You've been handed what's been marked as Exhibit No. 1. Do you recognize this document?

A. **Am I supposed to answer that?**

Q. Now you can answer. It's a question.

A. **No, I do not.**

Q. Is it your testimony that you've never seen this offer letter?

A. **I don't recall seeing this offer letter.**

Q. Do you recall seeing a similar offer letter?

A. **I don't recall seeing any offer letter.**

Q. As a Jones Day employee in January, 2001, were you -- are you -- were are aware that Jones Day had an employee handbook, an employee manual?

A. **Was I made aware of that?**

Q. Yes.

A. **I don't recall ever receiving a manual at that time.**

Q. Okay.

A. **An employee handbook.**

Q. Yes.

Page 41

A. **Explain -- state -- restate your question.**

Q. Sure.

A. **Okay.**

Q. We're now back at the -- when you started your employment.

A. **Okay. Because this was sometime ago.**

Q. At Jones Day.

A. **Right.**

Q. That's fine.

During your employment with Jones Day, did you receive an employee handbook or employee manual, however you would refer to it, that set forth the policies and procedures of Jones Day?

A. **I remember receiving benefits information and that sort of thing.**

Q. When you say "and that sort of thing," to what are you referring if it's not an employee handbook or employee manual?

A. **I remember receiving maybe firm procedures manual.**

Q. Okay. Yes.

A. **Okay.**

Q. And I -- and I don't mean to trick you. I just refer to it as an employee handbook or -- or manual.

A. **Okay.**

Page 42

Q. Do you -- during your employment at Jones Day, did you receive the firm -- a copy of the firm's procedurals or the firm -- procedures and policies?
A. During my employment with Jones Day --
Q. Yes.
A. -- did I receive that?
Q. Yes.
A. Yes.
Q. Okay. When you worked for Bayco Gibson, did that firm have an employee handbook or firm policies and procedures?
A. Not that I can recall.
Q. Is it fair to say that Bayco Gibson was not as structured as Jones Day?
A. That would be fair.
Q. It didn't have a formal evaluation process where each employee was given a written performance appraisal -- performance appraisal every year, like Jones Day had, correct?
A. That is correct.
Q. And it didn't have a manual that set forth the firm's policies and procedures as Jones Day has.
A. I know that there were -- different individuals had different procedures for their department.
Q. Sure.

Page 43

A. So . . .
Q. But there was no centralized policy and procedural manual or handbook, whatever you want to refer to it, as you have at Jones Day.
A. Not that I can think of at this time.
Q. Sure.
(Slaughter Exhibit No. 2 was marked.)
Q. (By Ms. Clark) You've been handed what's been marked as Exhibit No. 2.
A. Okay.
Q. Do you recognize this document?
A. Yes, I do.
Q. And what is it?
A. It's a harassment policy confirmation, basically.
Q. It's your acknowledgment that you received a copy of the firm's harassment policy, correct?
A. That is correct.
Q. And it's -- and what is the date?
A. January, '03. Or it's January the 3rd of 2001.
Q. Okay. And that's your signature on it, correct?
A. That is correct.
Q. And we talked earlier, and you testified that you received a copy of the policies and procedures. Is

Page 44

it fair to say that this is one acknowledgment of those policies and procedures?
A. That would be fair to say.
MS. CLARK: This should have been one document.
(Slaughter Exhibit No. 3 was marked.)
Q. (By Ms. Clark) You've been handed what's been marked as Exhibit No. 3. Do you recognize --
MR. PADGETT: If I may interrupt for just a moment, there aren't any Bates stamp numbers on these documents, are there? Or is that what that is down at the bottom?
MS. CLARK: No.
MR. PADGETT: That CLI? Okay.
MS. CLARK: That's not a Bates stamp.
MR. PADGETT: All right. Just want to make sure.
Q. (By Ms. Clark) Do you recognize Exhibit No. 3?
A. Yes.
Q. And what is it?
A. Part of a policy manual.
Q. And let me hand to you the first page of the policy manual.
(Slaughter Exhibit No. 4 was marked.)
Q. (By Ms. Clark) I hand you what's been marked

Page 45

as Exhibit No. 4. It's a two-page document. Do you recognize Exhibit No. 4?
A. Yes.
Q. Isn't -- what is Exhibit No. 4?
A. Looks like the cover of the policy manual.
Q. Yes. I would like to only mark the front cover instead of marking the entire policy manual as part of this deposition, but I can if we need to.
A. Okay.
Q. Refer back with me to Exhibit No. 3, the EEO policy. You testified earlier that you recognized Exhibit No. 3 as part of the employee manual, correct?
A. Correct.
Q. And you were aware as an employee of Jones Day of the firm's prohibition against any type of discrimination based on an individual's protected category, correct?
A. Correct.
Q. And you were also aware, weren't you, that if you believed that you were being discriminated against based on a protected characteristic or subjected to unlawful harassment based on your race, that you could report that conduct to the appropriate person and it would be investigated.
A. Yes.

Page 46

Q. And, in fact, in -- in -- you did actually have an opportunity to avail yourself of Jones Day's policy by lodging a complaint when you felt that you had been mistreated, correct?
A. Restate the question.
Q. Sure. It was a poorly phrased question.
Do you agree with me that you lodged a complaint that you were not treated fairly pursuant to Jones Day's policies against discrimination and harassment?
A. Correct.
Q. During your employment, you were aware of the appropriate reporting structure. So you knew to whom to report, correct?
A. I knew that it needed to be reported.
Q. Yes. And when you felt that you needed to file a report, you knew the identity of the person to whom the report needed to be directed, correct?
A. I had an understanding of the person, yes.
Q. And -- and what was your understanding of the appropriate person to whom you should direct your complaint?
A. To HR.
Q. Okay. And who in HR did you report -- did you file your complaint?

Page 47

A. Stacey Brown.
Q. And did you report -- did you file any other reports, other than the report you made to Stacey Brown?
A. Did I file any other reports?
Q. Or make any other reports.
A. I contacted Stacey Brown.
Q. Okay. And then was that the only person that you contacted regarding your belief that you had been treated unfairly?
A. No.
Q. Okay. Who else did you contact?
A. The firm director of HR.
Q. And who is the firm director of HR?
A. David Williams.
Q. How did you know to contact -- well, excuse me.
Is it fair to say that you knew that you could contact David Williams, the firm director of human resources, because he is specifically identified in the firm's EEO policy and anti-discrimination policy which has been marked as Exhibit No. 3?
A. Yes.
Q. Okay. So it's fair to say that you knew the policy existed. You knew that if you believed you had been treated unfairly, that you could report it to Stacey Brown, the human resources person in Houston, or

Page 48

David Williams, the firm's human resources director, correct?
A. That is correct.
Q. Who was the partner in charge of the Houston office in January, 2001?
A. I don't really know the answer to that.
Q. Okay. Who is the partner in charge of the Houston office today?
A. Hugh Whiting.
Q. Do you know if there was anyone else in the position of partner in charge during your employment at Jones Day other than Hugh Whiting?
A. I -- I don't know.
Q. Okay.
A. I don't know the answer.
Q. Okay. When did you first meet Hugh Whiting?
A. In February of 2001.
Q. And how -- describe that meeting.
A. I don't remember a formal meeting.
Q. Uh-huh.
A. I just remember being told because I handled all of the new employees that he was coming.
Q. Okay. And that he was coming in the role as partner in charge of the Houston office?
A. That is correct.

Page 49

Q. Did you -- do you recall the day you actually met him and had an opportunity to introduce yourself to him?
A. I do not.
Q. Have you worked closely with Hugh Whiting during your tenure at Jones Day?
A. Not very closely.
Q. How would you describe your working relationship with Hugh Whiting?
A. I don't come in contact with him that much. So I can't say a whole lot about our working relationship.
Q. Okay. Well, let's talk about the times you do come in contact with him.
A. Uh-huh.
Q. Are those meetings confrontational?
A. No.
Q. Are they pleasant?
A. Generally pleasant.
Q. Okay. Have you had any significant disagreements with Hugh Whiting?
A. Significant disagreements?
Q. Yes. During the -- the infrequent times you had an opportunity to work with him, did you have any major disagreements or arguments?
A. No arguments.

Page 50

Q. Major disagreements?
A. I guess it depends on what you categorize as major disagreements. I mean --
Q. Okay.
A. -- he -- I provided a support role for him.
Q. Right.
A. So he had issues with his computer and he would be upset and I would, of course, come there to try to help and to be calming, you know.
Q. So in those situations where he would be upset because his computer was malfunctioning --
A. Uh-huh.
Q. -- that frustration was not with you but with the computer. Is that fair?
A. That is correct.
Q. And you would come in and resolve whatever issue that caused his frustration with the computer.
A. That is correct.
Q. Okay. Did you ever file any complaints against Hugh Whiting?
A. No.
Q. Ever have any reason to file any complaints against Hugh Whiting?
A. Now, are you talking about at the beginning or now or --

Page 51

Q. Well --
A. Just depends on --
Q. Well, I'm talking about any time. And we could take it in segments.
A. Oh.
Q. At any time during your employment, did you have any reason to file a complaint against Hugh Whiting?
A. At the beginning, no.
Q. Okay. When -- when did you feel or believe you had a reason to file a complaint against Hugh Whiting?
A. When he interviewed me for the position that I was already holding as GIS manager.
Q. Okay. And we're going to talk about the interview process and what transpired after the manager was selected.
But before that interview -- and that interview occurred in October of 2003?
A. That is correct.
Q. Okay. Before October, 2003, did you have any reason to believe there was a -- scratch that.
Before October, 2003 --
A. Okay.
Q. -- was there any need to file a complaint against Hugh Whiting?

Page 52

A. Not that I can recall.
Q. Okay. Did he make any inappropriate comments or statements to you?
A. No, he did not.
Q. Did he make any derogatory remarks or racial slurs to you?
A. Not that I can recall.
Q. Okay. That's something you would recall?
A. No.
Q. Is it your testimony that you wouldn't recall if the partner in charge of the office made a racial slur? You wouldn't recall that?
A. I probably would.
Q. Okay. So is it fair to say that since you don't recall that ever occurring, that it didn't happen?
A. I don't recall him ever making racial comment.
Q. Or derogatory comment based on your race?
A. No.
Q. Okay. Did you receive performance appraisals during your tenure with Jones Day?
A. Yes.
Q. You received a 2001 performance appraisal?
A. Yes, I did.
Q. Who completed the appraisal?
A. Kevin Richardson.

Page 53

Q. And what was his title at that time?
A. Office administrator.
Q. Was he your direct supervisor?
A. Yes.
MR. PADGETT: Are you at a good little break point?
MS. CLARK: Actually I am.
MR. PADGETT: Okay. Why don't we take a quick break.
THE VIDEOGRAPHER: The time is 11:20. We're off the record.
(Recess from 11:20 a.m. to 11:30 a.m.)
THE VIDEOGRAPHER: It's 11:30. We are back on the record.
Q. (By Ms. Clark) Ms. Slaughter, let's talk a little bit more about your employment at Jones Day. When you started in January, 2001, how many lawyers were in the office at that time?
A. Under 20.
Q. Okay.
A. But I cannot give you an exact number.
Q. Okay. And do you know the total number of lawyers and nonlawyer personnel in the office in 2001?
A. Approximately 40.
Q. In addition to the lawyers or total?

Page 54

A. **Total.**
Q. About 40 lawyers total?
And did -- during your tenure with Jones Day, has the office grown?
A. **Yes.**
Q. And is it fair to say that as a direct result of the growth, there are additional users of technology?
A. **There are more users, yes.**
Q. In September, 2003, how many lawyer and nonlawyer personnel were employed by Jones Day?
A. **Approximately 75.**
Q. Would you agree that that's a significant increase from the time you started in January, 2001?
A. **Yes.**
Q. Almost double in size, correct?
A. **I don't know if it's quite double, but --**
Q. Well, you said --
A. **-- it was --**
Q. -- it was about 40 --
A. **Right.**
Q. -- in 2001 and 75 --
A. **Approximately.**
Q. -- in 2003.
A. **Uh-huh.**
Q. "Yes"?

Page 55

A. **Right.**
Q. And you were aware that the firm intended to continue to grow the size of the Houston office, weren't you?
A. **I hope so. I mean --**
Q. I mean, that was openly discussed, that the firm intended to continue to significantly expand the Houston office and the Houston office personnel.
A. **I think that applies to all offices. Yes.**
Q. Okay. And I understand that, but we're talking --
A. **Right.**
Q. Just for today --
A. **Okay.**
Q. -- let's talk just about Houston.
A. **Okay.**
Q. But -- so you understood -- you were aware of the firm's intent to significantly grow and expand the Houston office.
A. **Yes.**
Q. And the Houston office personnel.
A. **Correct.**
Q. You testified that you believed your title in January, 2001, to be ISS manager.
A. **Yes.**

Page 56

Q. Is that the title that appeared on your performance appraisals?
A. **I don't recall, and I don't think so.**
Q. You don't think so.
A. **No.**
Q. What do you believe to be the title that appeared on your performance appraisals?
A. **After looking at it, technology -- or technical support specialist, maybe. Technology support specialist.**
Q. You were given a technology support specialist job description, weren't you?
A. **When?**
Q. During your employment at Jones Day.
A. **The first time I saw a technology support job description was before I applied for the position that I was already holding --**
Q. Okay.
A. **-- as the IS manager.**
Q. Okay. And we'll talk about your specific appraisals, but at --
MR. PADGETT: Objection to the sidebar.
Q. (By Ms. Clark) We'll talk about your specific appraisals; but at this time allow me to ask you: Did you sign each of your performance appraisals in 2001, 2002, 2003?

Page 57

A. **As far as I remember. I think so.**
Q. Did you -- did you complete a self-evaluation performance appraisal?
A. **I was given a form that was already preprinted with my name and information; and I did complete a self-evaluation, I believe, in 2002.**
Q. How about 2001?
A. **I don't recall.**
Q. Okay. Now, you quickly testified that you received a form that had your preprinted information; is that right?
A. **That's right.**
Q. From where do you believe that preprinted information came in 2001 or 2002 that appeared on your self-evaluation form?
A. **I'm not sure who the originator was of the document.**
Q. Okay.
A. **But I received it from Kevin Richardson.**
Q. Now, at any time do you recall making any revisions to your job title as it existed on your self-evaluation forms?
A. **I don't recall.**
Q. Okay. Do you recall in 2001 ever complaining

Page 58

to Kevin Richardson or anyone else at Jones Day that you believed the title that appeared on your evaluation forms was incorrect?
A. Not that I recall.
Q. Okay. Do you recall at any time in 2002 complaining to Kevin Richardson or anyone at Jones Day in the Houston office that your title as it appeared on your performance appraisals and self-evaluation forms was incorrect?
A. I remember mentioning -- that's so long ago. I -- I'm probably getting my issues confused. No.
Q. Okay. Now, before you applied for the GIS manager -- global information systems manager position in October, 2003, before that time, did you ever in June of 2003 when you received your performance appraisal -- do you recall ever complaining to Kevin Richardson or anyone else in the Houston office that your title as it appeared on your performance evaluation was incorrect?
A. I don't recall.
Q. Now, in 2001 you received counseling from Kevin Richardson, didn't you?
A. You'll have to refresh my memory.
Q. What did you do to prepare for this deposition?
A. I reviewed my original petition, the interrogatory answers, as well as the position

Page 59

statement.
Q. Did you review any other documents?
A. My attorney gave me the documents to review.
Q. Okay.
A. That's what I reviewed, what I just told you.
Q. Okay. Now, when you say -- when you refer to your position -- to the position statement, are you referring only to the actual document or any attachments?
A. The actual document.
Q. Did you -- did you review any attachments to the position statement?
A. No, I did not.
Q. So other than your interrogatory answers, the petition, and the position statement, it's your testimony that you've not reviewed any other documents in preparation for this deposition today.
A. I did not review those -- anything other than what I told you last night.
Q. Okay.
A. No.
Q. Did you have any meetings with your attorney? Don't tell me what you talked about, but just -- I'm just asking whether or not you had any meetings with your attorney in preparation for the deposition.

Page 60

A. My attorney provided me with the documents that I just told you about.
Q. Okay.
MS. CLARK: Move to strike as nonresponsive.
Q. (By Ms. Clark) I understand that, and I'm not quibbling with that answer.
A. Okay.
Q. Now I'm asking you a different question.
A. Uh-huh.
Q. And that is, did you have any meetings? Did you meet with your attorney to prepare for this deposition? Without telling me what you talked about.
A. Yes.
Q. Okay. When did you meet with your attorney?
A. Yesterday.
Q. Okay. How long was the meeting?
A. Approximately 30 minutes.
Q. Okay. Did you do anything else to prepare for the deposition other than review the documents you identified, meet with -- and then -- and meeting with your attorney?
A. Tried to get lots of rest. No.
MR. PADGETT: Is this "4"?
THE REPORTER: "5."

Page 61

MS. CLARK: "5."
(Slaughter Exhibit No. 5 was marked.)
THE WITNESS: Okay. Thank you.
Q. (By Ms. Clark) You've been handed what's been marked as Exhibit No. 5. Take a minute to review Exhibit No. 5.
A. Okay. (Witness examining document.)
Q. You've had an opportunity to review No. 5?
A. Yes.
Q. Have you seen Exhibit No. 5 before today?
A. The first time I saw Exhibit No. 5 was after I filed my complaint.
Q. Okay. And this was as -- as a response to -- you received it in response to the request for production that you sent to Jones Day, correct?
A. Correct.
Q. Okay. Earlier I asked you whether or not you had been counseled by Kevin Richardson in 2001. Do you recall that?
A. You asked me that a few minutes ago.
Q. Right. And --
A. Yes.
Q. And you testified that you needed clarification regarding when, correct?
A. Correct.

Page 62

Q. Having read Exhibit No. 5, I'd like to talk to you about the counseling you received from Kevin Richardson on May 24th, 2001. Do you recall this meeting?
A. I don't.
Q. Okay. As you sit here today under oath, it's your testimony that Exhibit No. 5 fails to refresh your recollection in any way?
A. I don't recall talking to Kevin Richardson about Exhibit No. 5.
Q. Okay. Well, and I'm not asking you whether you recall talking to him about Exhibit No. 5 --
A. Okay.
Q. -- the document. We're talking about the contents.
But to be more specific so -- because I don't want you to be confused by my questions --
A. Okay.
Q. -- read with me with Exhibit No. 5.
Exhibit No. 5 is an e-mail correspondence that Kevin Richardson sent to what appears to be Kari Smidt. Do you see that?
A. Yes.
Q. Who is Kari Smidt?
A. She was the HR coordinator.

Page 63

Q. Okay. At the Houston office.
A. Correct.
Q. Now, in this e-mail Mr. Richardson states that -- excuse me.
In the e-mail Mr. Richardson states that on May 24th he had a conversation with you to address concerns he had regarding your failure to timely follow through on certain requests. Do you see that?
A. I see that in the e-mail.
Q. Do you recall a conversation with Kevin Richardson on May 24th, 2001, during which he counseled you regarding your failure to timely follow through on certain requests?
A. No, I do not.
Q. Okay. Now, in this correspondence to Kari Smidt, Mr. Richardson identifies the specific examples of your failure to follow through on projects. Do you see that?
A. I see that.
Q. Specifically he states that Jack Carnegie made a request to access the associate work assignment database, and that project was not completed. Do you see that?
A. I see that. Uh-huh.
Q. Who is Jack Carnegie?

Page 64

A. He is a partner of Jones Day.
Q. The Houston office?
A. Yes.
Q. Okay. Do you recall a request from Jack Carnegie to allow him to access the associate work assignment database?
A. I recall a request that was being made through our Dallas office --
Q. Okay.
A. -- for the work assignment database.
Q. Okay. So you do recall him making a request.
A. I recall a request being made, yes.
Q. Okay. And it's your testimony that the request was not made to you but to the Dallas office.
A. It's my testimony that it was the Dallas office who was -- not programming, but building a work assignment database.
Q. Okay.
A. Not the Houston office.
Q. Uh-huh.
A. It was up to the Dallas office to complete that project before Jack Carnegie could have access to it.
Q. So is it fair to say that you did not believe this request by Jack Carnegie to have access to the associate work assignment database to be properly made

Page 65

to you in the Houston office?
A. It is fair to say that the request was properly made to me, but the actual implementation could not come from me.
Q. Okay. So you acknowledge that this request was made to you, but you were not -- you didn't have the authority to actually implement the request.
A. I had to wait on the Dallas office to complete the programming of the new database.
Q. Did you ever tell Jack Carnegie that you were waiting for the Dallas office to complete the programming so that you could respond to his request?
A. I remember talking to Jack on several occasions about this project.
Q. Okay.
MS. CLARK: Move to strike as nonresponsive.
Q. (By Ms. Clark) My question to you, though, is: Did you ever tell Jack Carnegie that the reason the project was not completed was because you were waiting on the Dallas office to complete the programming?
A. I told Jack Carnegie -- again, going back to what I just said, that Jack Carnegie was aware that the Dallas office was programming the database. And I was the one who made him aware of that.

Page 66

Q. Okay.
MS. CLARK: And again, I'll move to strike as not responsive.
A. Okay.
Q. (By Ms. Clark) My question to you is simply: Did you ever tell Jack Carnegie that the reason the project wasn't completed was because you were waiting on the Dallas office to complete the programming?
A. Yes.
Q. And what was his response?
A. I don't recall.
Q. Did you ever have a conversation with the Dallas office regarding the status of the programming so that you could complete this assignment from Jack Carnegie?
A. Yes.
Q. And what was the Dallas office's response?
A. They were working on it.
Q. Did you notify Kevin Richardson of the fact that the Dallas office had not completed the programming so you couldn't complete Jack Carnegie's request?
A. I remember talking to Kevin about this issue.
MS. CLARK: Move to strike as nonresponsive.
Q. (By Ms. Clark) Did you ever tell Kevin

Page 67

Richardson that the Dallas office had not completed the programming so you couldn't complete this assignment for Jack Carnegie?
A. Yes.
Q. When -- did you tell him that the Dallas office had not completed the programming so you couldn't complete the project before he counseled you on May 24th, 2001?
A. I don't recall. I don't recall seeing this document. So . . .
Q. And that's --
MS. CLARK: And I'll --
THE WITNESS: Okay.
MS. CLARK: -- move to strike any reference to the document.
THE WITNESS: Okay.
Q. (By Ms. Clark) My question is not about the document.
A. Okay.
Q. My question to you is: At any time prior to May 24th --
A. Uh-huh.
Q. -- 2001, before you received the verbal counseling from Kevin Richardson, did you ever tell him that the Dallas office had not completed the programming

Page 68

so you couldn't complete this assignment from Jack Carnegie?
A. I don't recall receiving verbal counseling to begin with. Okay? So to answer your question, Kevin Richardson was aware that the Dallas office was programming this database.
Q. Okay.
MS. CLARK: Move to strike as not responsive.
Q. (By Ms. Clark) I don't want to be here all day. I know you don't want to be here all day. But if we have to be, I don't have anything else on my schedule.
MR. PADGETT: We don't need any lectures. All we need to do --
Q. (By Ms. Clark) I'll -- I'll ask you --
MR. PADGETT: Excuse me just a moment. I need to put something on the record, and I'm going to continue. I'm going to object to badgering the witness. What we need to do is just ask the questions; and if you're unsatisfied with the answers, well, then, you can take it up with the judge. But we don't need any lectures about how long we're going to be here or anything along those lines.
MS. CLARK: And you need to restrict your

Page 69

objections to form.
Q. (By Ms. Clark) Did you tell Kevin Richardson before May 24th, 2001, before he raised this issue with you -- at any time before that point, did you tell him -- you, not someone else -- you tell him that the Dallas office had not completed the programming and as a result you couldn't complete the assignment for Jack Carnegie?
A. I don't recall Kevin Richardson raising this issue.
Q. I'll rephrase my question.
A. Okay.
Q. At any point prior to May 24th, 2001, did you tell Kevin Richardson that the Dallas office had not completed its programming so you couldn't complete this project assigned to you by Jack Carnegie?
A. We're talking about something that happened six years ago, five years ago. I remember talking to Kevin about the status of this application.
MS. CLARK: Move to strike at --
A. Specific date, I can't give you that.
Q. (By Ms. Clark) Okay. If you don't know, that's fine.
A. I don't know.
Q. Okay. So then --

Page 70

A. **I don't know.**
Q. And I don't want to badger you.
A. **I don't know.**
Q. So then let me ask you the -- ask you the question --
A. **Okay.**
Q. -- so that we'll have -- have a complete record?
A. **Okay.**
Q. And remember to allow me to complete my statement even though you can anticipate what I'm about to ask you just so that she can have a clean record and she can take care --
A. **Sure.**
Q. -- take down what I'm saying and what you're saying.
A. **Right.**
Q. Prior to May 24th, 2001, did you ever tell Kevin Richardson that the Dallas office had not completed its programming so you could not complete the project that Jack Carnegie had assigned to you?
A. **I don't know.**
Q. Okay. Isn't it true that in -- sometime in May, 2001, on May 24th, 2001, Kevin Richardson addressed with you the fact that he had requested the purchase of

Page 71

an office scanner and that project had not been completed?
A. **I don't remember.**
Q. Do you recall Kevin Richardson discussing with you his request to remove the BG console from the reception area?
A. **I don't recall.**
Q. Do you recall on May 24th, 2001, Kevin Richardson discussing with you his request that you settle the cash advance and expenses, that project wasn't completed?
A. **I don't recall.**
Q. Do you recall Kevin Richardson discussing with you on May 24th, 2001, his request that you provide a printer to records for conflict printing purposes?
A. **I don't recall.**
Q. Is it fair to say that you don't recall having a discussion with Kevin Richardson on May 24th, 2001, regarding any of the examples he provided in what we've marked as Exhibit No. 5?
A. **I don't recall having a conversation with Kevin on May 24th, 2001, regarding any of these issues.**
Q. I want to make sure I understand your testimony. Are you testifying that as you sit here today under oath, you don't recall any discussions with

Page 72

Kevin Richardson regarding his counseling of you regarding these issues?
A. **You used the term "counseling." I don't recall being counseled regarding these issues. I specifically told you that I remember talking to Kevin about the associate work status database, but not in a counseling type of environment, no.**
Q. What is a "counseling environment" to you?
A. **Counseling to me would mean that I was being reprimanded because I had failed to do something. So I don't recall these issues being discussed in that manner.**
Q. If your supervisor informs -- if he informs you that you have failed to complete a project timely that was assigned to you, do you view that as a reprimand or a counseling?
A. **If I had failed to timely -- to do something in a timely manner, I would view that as counseling.**
Q. Okay. Is it fair to say, then, if your supervisor was of the opinion that you had failed to follow through on assignments that had been given to you in a timely manner, that that would be viewed as the basis for a counseling?
A. **Rephrase the question.**
Q. Sure. You testified that if you had, in fact,

Page 73

failed to timely follow through --
A. **I didn't say I failed. I didn't say I failed.**
Q. Okay. Well, listen to my question.
A. **Okay.**
Q. You testified that if you had failed --
A. **Uh-huh.**
Q. -- to timely follow through on a project or a request by your supervisor and your supervisor spoke to you about that failure, that to you would be viewed as a counseling. Is that fair?
A. **If that had happened, yes.**
Q. I'm not trying to trick you.
A. **Yes, that would be fair.**
Q. Okay. Did you ever tell Kevin Richardson that you had not reported to anyone during your six years at Bayko Gibson and as a result, working at Jones Day was an adjustment for you?
A. **No.**
Q. You never made any comment regarding your autonomy at Bayko Gibson.
A. **No.**
Q. Is it fair to say, though, as the director of information technology --
A. **Uh-huh.**
Q. -- at Bayco Gibson, you had a significant

Page 74

amount of autonomy?
A. That's fair to say, yes.
Q. Is it fair to say that at Bayko Gibson you did not have to inform anyone of your day-to-day projects and the status of your projects?
A. No. I wouldn't say that's -- that's accurate.
Q. Okay. How often when you worked at Bayco Gibson were you required to report to your supervisor -- who was Tom Bayko, correct?
A. Correct.
Q. How often would you have to report to him regarding the status of your projects as the director of information technology?
A. I reported to Tom Bayko on, I would say, a weekly basis and an as-needed basis.
Q. If Kevin Richardson believed you had failed to timely follow through on projects -- I'm not saying that you -- I understand that you disagree regarding the substance of Exhibit No. 5.
A. Uh-huh.
Q. But if Kevin Richardson believed that you had, in fact, failed to follow through on projects you had been assigned, that failure would appropriately be the basis for counseling, correct?
MR. PADGETT: Object to the form of the

Page 75

question.
Q. (By Ms. Clark) Unless he instructs you not to answer, you can answer.
A. Rephrase the question.
Q. If Kevin Richardson, your supervisor, believed that you had, in fact, failed to follow through on the projects and assignments that are identified in Exhibit No. 5, that failure would be grounds for a counseling.
MR. PADGETT: And again, I object to the form of the question.
A. If I had failed to complete tasks in a timely manner, then yes. But that's only if I failed to complete the task in a timely manner.
(Slaughter Exhibit No. 6 was marked.)
Q. (By Ms. Clark) You've been handed what's been marked as Exhibit No. 6. Take a minute to review the document.
A. (Witness examining document.)
Okay.
Q. Do you recognize Exhibit No. 6?
A. The first time I saw Exhibit No. 6 was after I filed my complaint.
Q. Okay. Now, Exhibit No. 6 is an e-mail from Kevin Richardson to Kari Smidt. Do you see that?
A. Yes.

Page 76

Q. And the e-mail is dated June 18th, 2001.
A. I see that.
Q. Okay. And in this e-mail Mr. Richardson reports to Ms. Smith [sic], that human resources representative, that he had discussion with you regarding his concern of what he perceived to be your failure to adequately keep him in the loop. Do you see that?
A. I see that in the document.
Q. Okay. Do you recall a discussion with Kevin Richardson on June 18th, 2001, during which he informed you of what he perceived to be your failure to adequately keep him in the loop?
A. I recall a discussion. Don't know if it was on June the 18th, but it was specifically to start a weekly meeting process.
Q. Okay. And prior to the request to have a weekly meeting process, you had not sat down with Mr. Richardson on a weekly basis. Is that fair?
A. Had not -- no. That is fair.
Q. Okay.
A. Had not sat down on a weekly basis.
Q. Why did he tell you that he wanted to meet with you on a weekly basis going forward?
A. Because he thought that would be a good time

Page 77

for us to go over things that are going on in the department.
Q. Okay. Isn't it true that he told you that it would be best to meet on a weekly basis because you had failed to keep him -- because he perceived you had failed to keep him in the loop regarding the status of your projects?
A. No. That's not true.
Q. Isn't it true that the reason he stated that you would meet from this point on on a weekly basis was because of his concern that projects were not being completed timely?
A. No.
Q. Okay. Did you, in fact, begin to meet on a weekly basis with Mr. Richardson?
A. I remember we started some -- somewhere around this time meeting on a weekly basis, yes.
Q. And what did you discuss during these weekly meetings?
A. A lot of things.
Q. Okay.
A. What was going on in the department, new users. Just a lot of things.
Q. Did you discuss the status of reports?
A. Of reports?

Page 78

Q. Excuse me. The status of assignments?
A. Assignments. Rephrase the question.
Q. Did you discuss the status of projects on which you were working?
A. Many times I would discuss the status of projects during the meeting, but additionally I was in Kevin's office all the time telling him about stuff that was going on.
Q. Okay.
MS. CLARK: Move to strike everything after "we would discuss the status of projects during the meeting" as nonresponsive.
Q. (By Ms. Clark) How long would the weekly meetings last?
A. It varied.
Q. Depending on the projects on which you were working?
A. Depending on the issues that I brought forward to discuss.
Q. Now, during the meeting in which Kevin Richardson told you that on a going forward basis, you would meet with him on a weekly basis, isn't it true that he told you again that you had failed to timely give him notice --
A. No.

Page 79

Q. -- of project status?
A. (Witness shakes head.)
Q. "No"?
A. No.
Q. Okay.
MS. CLARK: Now is a good time for a break. Is now a good time for a break?
MR. PADGETT: Sure. Sounds great. Whatever you guys want.
THE VIDEOGRAPHER: The time is 12:06. We're off the record.
(Lunch recess from 12:06 p.m. to 1:13 p.m.)
THE VIDEOGRAPHER: The time is 1:13. We're back on the record.
Q. (By Ms. Clark) Ms. Slaughter, do you understand that you're still under oath?
A. Yes.
Q. Okay. Did you have an opportunity to review any documents while we were on break?
A. I ate while we were on break.
Q. Is that a "no"?
A. That is -- that is correct.
(Slaughter Exhibit No. 7 was marked.)
Q. (By Ms. Clark) You've been handed what's been marked as Exhibit No. 7.

Page 80

A. Okay.
Q. Can you take a minute to review it?
A. (Witness examining document.)
Okay.
Q. Have you had an opportunity to review Exhibit No. 7?
A. Yes, I have.
Q. What is it?
A. It's a performance evaluation.
Q. For whom?
A. For me.
Q. Okay. Turn with me to the second page.
A. Okay.
Q. Is that your signature at the bottom?
A. Yes, it is.
Q. And what's the date that you placed on the document?
A. June 28th, 2001.
Q. Did you receive -- receive this document on June 28th, 2001?
A. Yes, I did.
Q. Will you turn with me to the third -- third page of the document?
A. Okay.
Q. Do -- is that your signature?

Page 81

A. Yes, it is.
Q. Kevin Richardson, your supervisor, completed this performance evaluation in June of 2001 and discussed it with you; is that correct?
A. That's correct.
Q. Now, what's your job title on this document?
A. It says "technology support specialist."
Q. Did you make any revisions to the job title on this document?
A. No. Since it was their document, no.
Q. Okay. Now -- the answer is "no"?
A. That's correct.
Q. If you'd refer with me to the next line, it states: "Exposure to Staff Member's performance within the last 12 months."
Do you see that?
A. Yes.
Q. Now, there is -- "12" has been scratched out, correct?
A. Correct.
Q. And "4" has been put -- placed in its place, correct?
A. Correct.
Q. Why do you think that occurred?
A. Because he felt like he had limited exposure to

Page 82

me. And four months is not correct either, but --
Q. Okay. Now, you started in -- at Jones Day in January, 2001, correct?
A. Yes.
Q. And this performance appraisal was completed in June, 2001, correct?
A. Correct.
Q. That's approximately six months later, correct?
A. Yes.
Q. So the 12-month -- "12 months" reference is incorrect, right? Do you agree with me?
A. Yes.
Q. And Mr. Richardson wanted to make sure that the evaluation was accurate. So he scratched through the "12" and placed a "4." Do you see that?
A. I do see that.
Q. But you didn't do that regarding your job title, did you?
A. He prepared the evaluation, though.
MS. CLARK: Move to strike as not responsive.
Q. (By Ms. Clark) Did you --
A. I didn't prepare the document.
MS. CLARK: Move to strike as not responsive.

Page 83

Q. (By Ms. Clark) And wait until I ask you the question even if you can anticipate what I'm going to ask you --
A. Okay.
Q. -- before you begin your answer so that we don't talk over each other.
A. Okay.
Q. Thank you.
You didn't scratch out or make any revisions to the job title that appears as "technology support specialist," did you?
A. I did not change the document --
Q. Okay.
A. -- that was given to me.
Q. Now, in this performance appraisal Kevin Richardson identified several areas where you needed to improve, didn't he?
A. Yes.
Q. Okay. Let's discuss them in turn.
Under the first category Mr. Richardson evaluated you as needing improvement in the area of understanding Jones Day standard software applications. Do you see that?
A. Yes.
Q. And he also stated that you needed improvement

Page 84

in networking and communications. Do you see that?
A. Yes.
Q. He also stated in this evaluation that you -- your understanding and adherence to ISS policies and procedures needed improvement. Do you see that at No. 2?
A. Yes.
Q. He also stated that in the area of assuming an active role in skill development and enhancement, you needed to improve your performance, correct?
A. Yes.
Q. He stated that with respect to your ability to respond to pressure and changes and instructions, systems needs, and priorities, in that area you needed improvement, correct?
A. That's what he stated.
Q. Okay. And then he stated that you needed improvement in your ability so prioritize multiple -- multiple work assignments, correct?
A. Yes.
Q. And you were -- that wasn't -- during your -- the course of your employment, that issue was addressed with you several times. Do you agree with me?
A. What issue?
Q. Your need to appropriately prioritize several

Page 85

work assignments.
A. I disagree.
Q. Okay. Now, with respect to your ability to communicate regarding your whereabouts and the practice of limiting personal time away from the department, Mr. Richardson evaluated you as needing improvement. Do you see that?
A. I do see that.
Q. Okay. Do you agree that that was his evaluation of your performance on June 28th, 2001?
A. I agree that -- I disagree with the evaluation. I agree that that is his assessment of it.
Q. Of your performance.
A. Yes.
Q. And he also stated that your ability to report to work on time, your punctuality, needed improvement.
A. That's what he has here.
Q. You disagree with that?
A. Yes, I do.
Q. Now, in addition to completing the form, Mr. Richardson also provided you with writ -- a written statement regarding his assessment of your performance, correct? On the -- the third --
A. On the third page.
Q. -- page of the document?

Page 86

A. **Yes.**
Q. Okay. During this -- this performance appraisal meeting, he explained to you that it was important to him that you "demonstrate a willingness and ability to work within the Jones Day system," didn't he?
A. **Yes.**
Q. He told you that it was important for him -- to him that you establish your ability "to serve as the liaison between Houston users and network administration, to work closely with firm ISS, to implement network upgrades, to troubleshoot network problems, and to perform each of the tasks in a timely fashion and provide notice to appropriate personnel when completed." He told you that was important, correct?
A. **That's what's on the document.**
Q. And --
A. **Yes.**
Q. But he discussed this -- these issues with you, correct? You signed the document, correct?
A. **I signed the document. I read the document.**
Q. Okay. So you understood that at least as far as he assessed your performance, he felt these were issues that you needed to improve.
A. **That is correct.**
Q. Okay. But I take it you disagreed with his

Page 87

assessment of your performance.
A. **Absolutely.**
Q. Okay. In this document, your 2001 performance appraisal, Mr. Richardson told you or informed you that you needed to improve on your ability to timely follow through on work requests. Isn't that true?
A. **That's what's on the document.**
Q. Okay.
A. **Yes.**
Q. And that statement is similar to the information he provided to the human resources representative in May and June, 2001, regarding your failure to timely follow through and complete projects.
MR. PADGETT: Object to the form of the question.
Q. (By Ms. Clark) You can answer.
A. **I'd have to look at the -- the e-mail.**
Q. That's fine. Refer with me to Exhibit Nos. 5 and 6.
A. **I did tell you before that these particular documents came after the complaint.**
Q. Okay.
MS. CLARK: Move to strike as nonresponsive.
Q. (By Ms. Clark) Mr. Richardson's statement to

Page 88

you that you needed to improve your ability to timely follow through on work requests in this June, 2001, performance appraisal was similar to comments he had made to Kari Smidt, the human resources representative, in May and June; isn't that true?
MR. PADGETT: Object to the form of the question.
A. **No.**
Q. (By Ms. Clark) You can answer.
Exhibit No. 5 -- in Exhibit No. 5 Kevin Richardson writes to Kari Smidt that he discussed with you concerns he had regarding your failure to timely complete certain requests.
A. **He did not have that type of discussion with me.**
Q. Okay.
MS. CLARK: Move to strike as nonresponsive.
Q. (By Ms. Clark) My question is: In Exhibit No. 5 --
A. **Uh-huh.**
Q. -- Mr. Richardson writes to Kari Smidt that he had -- he addressed with you concerns that you failed to timely follow through and complete projects. Isn't that what he wrote in Exhibit No. 5?

Page 89

A. **That's what's on the document.**
Q. Yes. And that statement and the substance of this e-mail is consistent with his statement that appears in the June, 2001, evaluation that he counseled you that your ability to timely follow through and complete projects needed improvement.
A. **The language is the same. Very similar.**
Q. In the June, 2001, performance appraisal, he also counseled you that you needed to improve your availability to appropriately prioritize work assignments, didn't he?
A. **That's what he has in the document.**
Q. And that's what he told you when he met with you on June 28th, 2001, didn't he?
A. **I read the document.**
Q. This information was communicated to you on June 28, 2001, correct?
A. **When we have performance evaluations, we read the document. I read the document, and I communicated to -- to Kevin my -- my disagreement with the document.**
MS. CLARK: Move to strike as nonresponsive.
Q. (By Ms. Clark) My question to you is: On June 28th, 2001, you were provided specific information regarding Mr. Richardson's assessment of your

Page 90

performance, specifically that you needed to appropriately prioritize work assignments, correct? That information was given to you in June of 2001.
A. In the form of a performance evaluation, that is correct.
Q. You have it right there in black and white --
A. Yes.
Q. -- in front of you, correct?
A. Right.
Q. He also in June of 2001 informed you that you needed to ensure the Houston office was in compliance with firm approved ISS policies and procedures, correct?
A. Yes.
Q. Okay. Now, you disagreed with Mr. Richardson's assessment of your performance.
A. Correct.
Q. Is it fair to say that you thought your performance was fine?
A. I did. Considering the fact that I was managing two different systems simultaneously, dissimilar systems, and I was handling the entire office by myself.
Q. Okay. Now, although you believe your performance was fine, it's clear that Mr. Richardson had issues with some aspects of your performance, correct?

Page 91

A. I don't feel his evaluation was a true evaluation of my performance.
Q. Okay. Do you believe that the information provided in this evaluation is false?
A. I believe that some of the references that are made, specifically as it relates to needing improvement, are unfair and unreasonable.
Q. Okay. And based on your testimony, is it fair to say that you view his assessment as unfair and unreasonable because at the time you were managing two dissimilar systems by yourself? Is that fair?
A. That's part of it, yes. That's part of it.
Q. Okay. What's the other part?
A. The fact we were at this time planning, if I remember correctly, to expand to another floor. There were other considerations that were going on. Additionally, at this particular time some of the standard procedures of the firm I was not even aware of. I was not provided basic end-user Jones Day training until sometime after this evaluation. I was sent to the Dallas office in the fall of 2001 for that training.
Q. Now, let's talk about your relationship with Mr. Richardson in June, 2001.
A. Okay.
Q. Did you have a pleasant or confrontational

Page 92

working relationship in June, 2001?
A. It seemed pleasant.
Q. Do you have any reason to -- when you say, "It seemed pleasant," what do you mean?
A. What I mean by that is I personally did not have a problem with Mr. Richardson.
Q. Okay. And did you ever have any confrontations with him?
A. No. But I made him aware that I needed help.
Q. Okay.
A. But no confrontations that I can recall.
Q. You were never rude to him.
A. No.
Q. Correct? Was he ever rude to you?
A. In 2001?
Q. Yes.
A. Not that I recall.
Q. Did he make any inappropriate statements to you that -- or any comments to you that you felt were inappropriate?
A. Not that I recall.
Q. Did he make any racial slurs to you or derogatory statements about your race?
A. Not that I recall.
Q. At any time during your employment with Jones

Page 93

Day?
A. No. No racial comments.
(Slaughter Exhibit No. 8 was marked.)
Q. (By Ms. Clark) You've been handed what's been marked as Exhibit No. 8. Do you want to take a minute to review the document?
A. Okay. (Witness examining document.)
Q. Have you had an opportunity to review Exhibit No. 8?
A. Yes, I have.
Q. What is it?
A. It's my personal performance evaluation.
Q. You completed this document?
A. Yes, I did.
Q. What's the job title that appears on Exhibit No. 8?
A. Technology support specialist.
Q. Now, you testified earlier that the reason you didn't revise the job title was -- on the other document was because that was a document that was completed by Mr. Richardson. Here Exhibit 8 is a document completed by you. Why didn't you revise the job title if you believed your title was GI -- GSS manager -- ISS manager?
A. The document is delivered to me with

Page 94

pre-populated information.
Q. Okay.
A. I didn't see -- I didn't see a need to change it. Everyone knew that I was the manager.
Q. Okay. Now, if that's the case, then, wouldn't you expect your title on this formal performance appraisal to be listed as ISS manager?
A. I was looking at my name. I wasn't looking at the title.
Q. And -- and the title is right beneath your name. It's "Employee Department Job Title," correct?
A. I focused on the name.
Q. Okay. Are you suggesting to this jury that you didn't notice your job title was listed as technology support specialist?
A. When I received the document, I focused on the name. Seeing as though the -- the information was already pre-populated, there was no need for me to change it.
Q. Okay. You provided written comments regarding your performance on Page 2 of this evaluation, correct?
A. Correct.
Q. And that's your signature at the bottom.
A. Yes, it is.
Q. Okay. Now, under "Areas of Improvement" you

Page 95

state that although you work well independently, "I need to work on quickly informing my office administrator of pertinent day-to-day ISS issues that affect attorney-client efforts and the overall operations of the firm."
Do you see that?
A. Yes.
Q. So even you acknowledged in your assessment of your performance that you needed to improve your ability to provide quickly information to Kevin Richardson regarding issues that affect attorney-client efforts and the overall -- overall operations of the firm.
A. Yes.
Q. Refer with me to the first page of Exhibit No. 8.
A. Okay.
Q. Under No. 5, "Punctuality," how did you rate your performance?
A. I rated it needs improvement.
Q. Okay. Now, you recall just a minute ago we -- I asked you about Exhibit No. 7, Mr. Richardson's assessment of your performance; and you stated that his assessment that you needed to improve your punctuality was false, was incorrect. Do you recall that?
A. On that specific point?

Page 96

Q. Yes.
A. No. I don't recall.
Q. You don't recall?
A. I remember us talking about other points, but --
Q. Do we need to go back and -- because we can go back and find your testimony. You testi- --
A. If -- if I -- if I said that, then --
Q. -- you were mistaken.
A. Exactly.
Q. Because not only did Mr. Richardson believe you needed to improve your punctuality, you also acknowledged that your punctuality needed improvement, correct?
A. Yes.
Q. Okay. Now, you would agree with me that Exhibit No. 7 is not all bad. Is it? Mr. Richardson's assessment of your performance?
A. No, it's not all bad.
Q. Okay. I mean, he acknowledges that you demonstrated that you had the technical ability to -- to work within the Jones Day net infrastructure, correct?
A. Yes.
(Slaughter Exhibit No. 9 was marked.)
Q. (By Ms. Clark) You've been handed what's been

Page 97

marked as Exhibit No. 9. Please take a minute to review Exhibit No. 9.
A. (Witness examining document.)
Okay.
Q. Have you had an opportunity to review Exhibit No. 9?
A. Yes.
Q. What is it?
A. Performance evaluation.
Q. For whom?
A. For Ava Slaughter.
Q. And what's the date of this performance appraisal?
A. June 21st, 2002.
Q. Is it fair to say that this appraisal covered your performance from June, 2001, to June, 2002?
A. Yes.
Q. And it was completed by whom?
A. Kevin Richardson.
Q. And did you sign the document?
A. Yes, I did.
Q. And what's your job title on Exhibit No. 9?
A. Technology support specialist.
Q. And you didn't make any revisions to that job title, correct?

Page 98

A. **No.**
Q. Okay. Now, in your 2002 evaluation Mr. Richardson stated that you're a hard worker and that you understood and maintained the JDNET, that you worked well with the PBX and Nortel system, and that you continued to a limited extent to maintain the BGCH network. Do you see that on the second page?
A. **Yes.**
Q. And he stated that you were proficient in troubleshooting both network and hardware problems. Do you see that?
A. **Yes.**
Q. Do you believe those statements are fair?
A. **I believe those statements are fair, yes.**
Q. But in this evaluation he also stated that you needed to improve your ability to follow through on instructions. Do you see that on the first page?
A. **Yes, I see that.**
Q. Did you agree with that assessment of your performance?
A. **At that particular time, based on the volume of work that was going on at the time, I think I followed through on instructions pretty well.**
Q. Okay.
MS. CLARK: Move to strike as

Page 99

nonresponsive.
Q. (By Ms. Clark) Mr. Richardson's assessment of your performance, specifically that you needed to improve your ability to follow up on instructions, do you believe that that assessment was fair?
A. **No.**
Q. Why not?
A. **Because at that particular time, I followed through on instructions in a satisfactory manner. I did not get a lot of instructions from Kevin.**
Q. Okay. So is it fair to say that you believed your follow-through was satisfactory? Correct?
A. **My follow-through was -- was okay.**
MS. CLARK: Move to strike as nonresponsive.
Q. (By Ms. Clark) You believed that your follow-through was satisfactory, correct?
A. **Yes.**
Q. Mr. Richardson, on the other hand, as evidenced by Exhibit No. 9, viewed your follow-through or your ability to follow through as needing improvement, correct?
A. **Correct.**
Q. He also stated that you needed to improve your punctuality, didn't he?

Page 100

A. **Yes.**
Q. Do you think that was fair?
A. **At that particular time I think that was probably fair.**
Q. He also stated that you needed to improve your -- the effectiveness of your communication with department supervisor and office and firm administrative staff. Do you see that?
A. **Yes.**
Q. Do you think that was fair?
A. **No, I do not.**
Q. Okay. You believe that you -- you communicated effectively, that you didn't need to improve your performance in that area.
A. **Much of the communication with firm administrative staff Mr. Richardson wasn't aware of.**
Q. Okay.
MS. CLARK: Move to strike as nonresponsive.
Q. (By Ms. Clark) You believe that your communication with office administration and staff was effective.
A. **Yes.**
Q. Is it fair to say that you didn't see any reason to improve your performance in that area?

Page 101

A. **In that particular area I thought my performance was sufficient.**
Q. Okay.
A. **There's always room for improvement.**
Q. Okay.
MS. CLARK: Move to strike as not responsive.
Q. (By Ms. Clark) My question to you is: Did you believe your performance in that area needed to be improved?
A. **I thought my performance was satisfactory.**
MS. CLARK: Move to strike as nonresponsive.
Q. (By Ms. Clark) I understand that you've testified that you thought your performance was satisfactory. This is a different question. My question now is: Do you -- at the time you received this evaluation --
A. **Uh-huh.**
Q. -- did you believe you needed to improve your performance or your ability to effectively communicate with department supervisor and office and firm administrative staff? Did you walk away thinking, "I need to improve in that area"?
MR. PADGETT: Object to the form of the